THE HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

W.P.No. 5210 OF 2004

30th January, 2006

Between:

Smt. Sakku Bai. …Petitioner

A N D

The Joint Collector, Anantapur and Others …Respondents

THE HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

W.P.No. 5210 OF 2004

O R D E R :

1. Smt. Sakku Bai has filed this writ petition challenging the proceedings issued by the Joint Collector, Anantapsur whereby and whereunder the appeal filed by her against the orders of the Revenue Divisional Officer, Penukonda came to be dismissed.

2. The brief facts of the case giving rise to filing of the present writ petition are:

Smt. E.Vijaya Kumari w/o: E.Venkata Ramana presented an application before the Revenue Divisional Officer, Penukonda for grant of house site patta. There upon the Revenue Divisional Officer called for report from the Mandal Revenue Officer. After considering the report of the Mandal Revenue Officer, the Revenue Divisional Officer, Penukonda issued proceeding bearing Rc.No.1395/2003(B), dated 8-11-2003. Assailing the proceedings, the petitioner filed an appeal before the Collector. The appeal ended in dismissal on 17-12-2003 confirming the order passed by the Revenue Divisional Officer, Penukonda in Rc.lB/1395/03, dated 8-11-2003. Hence, this writ petition.

3. Heard counsel for parties.

4. Learned counsel for the petitioner submits that the Joint Collector-1st respondent disposed of appeal without giving opportunity to the petitioner and that the order impugned in the writ petition is in violation of the principles of natural justice.

5. The order passed by the Joint Collector does not indicate of notice being issued to the petitioner and therefore, it amounts to violation of principles of natural justice.

6. Accordingly, the writ petition is allowed setting aside the order dated 17-12-2003 passed by the Joint Collector-1st respondent and the matter is remitted back to the Joint Collector to hear parties including the petitioner and 4th respondent, and pass necessary orders on the appeal presented by the petitioner within six weeks from the date of receipt of a copy of this order. No order as to costs.

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Justice B.Seshasayana Reddy

30th January, 2006

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THE HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

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